

**05-18 ARLINGTON CENTRAL SCHOOL DISTRICT BOARD OF EDUCATION V.
PEARL MURPHY, ET AL.**

DECISION BELOW: 402 F.3d 332 (2d Cir. 2005)

LOWER COURT CASE NUMBER: 03-7850

QUESTIONS PRESENTED

1. Does the Individuals with Disabilities Education Act (the "IDEA ")'s attorneys' fees shifting provision, 20 U.S.C. § 1415(i)(3)(B), authorize a court to award "expert" fees to the parents of a child with a disability who is a prevailing party under the IDEA?
2. ~~Did the Circuit Court err in affirming the district court's partial award to the prevailing parents pursuant to the IDEA's attorneys' fees shifting provision, 20 U.S.C. § 1415(i)(3)(B), for the services of an , "educational consultant"?~~

Cert. Granted 1/6/06 limited to Question 1 presented by the petition.